

EXCERPTS
PLANNING AND ZONING COMMISSION MEETING
COLUMBIA CITY HALL COUNCIL CHAMBER
701 EAST BROADWAY, COLUMBIA, MO
June 5, 2025

Case Number 187-2025

A request by Luebbert Engineering (agent), on behalf of Woodstock MH, LLC (owner) seeking approval of R-MH (Residential Manufactured Home) permanent zoning upon annexation. The subject site is presently improved with the Woodstock Mobile Home Park. The requested permanent zoning and concurrent annexation would permit the park to be fully connected to public sewer service. The 36.65-acres subject site is located northwest of the intersection of Warren Drive and New Haven Road, and is zoned Boone County R-M (Moderate Density Residential), and is commonly addressed as 3501 New Haven Road.

MS. GEUEA JONES: I will remind everyone that we only speak to the zoning, we do not make any determination or recommendation on annexation. May we please have a staff report?

MR. PALMER: We will actually pause for just a moment until Mr. Zenner returns.

MS. GEUEA JONES: Okay.

MR. PALMER: He's actually the case manager for this.

MS. GEUEA JONES: Who is the case manager on 195? Is that also Mr. Zenner?

MR. PALMER: That's me, actually.

MS. GEUEA JONES: Without objection, would any of my fellow Commissioners mind if we switched the order of those two cases? Okay, then. Without objection, we will switch that order so that Mr. Zenner -- oh, no. He's coming. Okay.

MR. STANTON: Flying in the door.

MS. GEUEA JONES: I know he was working on something for one of our later cases, so I didn't want to interrupt him.

MR. ZENNER: My apologies. Thank you for holding the meeting. All right.

Staff report given by Mr. Pat Zenner of the Planning and Development Department. Staff recommends the following with respect to this request:

1. Approval of the proposed R-MH district designation subject to Council approval of the concurrent annexation request; and
2. Approval of the submitted R-MH Park Plan inclusive of the design exceptions shown thereon, subject to minor technical corrections.

MS. GEUEA JONES: Before we go to questions for staff, if any of my fellow Commissioners have had contact with parties to this case outside of a public hearing, please disclose so now.

Commissioner Stanton?

MR. STANTON: Yes. I have a lot of professional colleagues that lived in this -- lived in this -- live in this park, as well as some family and friends. They may speak this evening, but if you know me, I -- it will not waiver my opinion or decisions that I make concerning this case.

MS. GEUEA JONES: Thank you for your disclosure. Anyone else? Seeing none. Are there any questions for staff? Commissioner Stanton?

MR. STANTON: Mr. Zenner, so changing to R-MH, does it provide any additional protections or standards to the existing park -- bring special requirements or ramp requirements or improvements to the internal --

MR. ZENNER: So aside from being required to go through the proper closure process for the on-site waste treatment facilities, which would be a DNR closure procedure, and then constructing private sanitary sewer services for the portion of the park that presently needs to be connected up to get to the public sewer, you will have a water line extension that comes off of the 16-inch water main that is along the northern boundary of New Haven Drive, and that is essential in order to provide City fire flow levels in order to be able to be able to do fire suppression. This being part of the City will open up the requirements then that particular environmental and other maintenance code requirements will need to be also complied with. So in the plan review, we did identify -- our City arborist had identified many dangerous and dead structures or trees within the park that do need to be addressed, and that would then become -- we would have a mechanism through being inside the City to be able to facilitate that. Maintenance of the park's internal roadway network, because it is all private streets, that is at the applicant's responsibility, the applicant developer's responsibility, and we do have a representative of the ownership group here this evening with the engineer, to potentially answer in greater detail what plans they have. With the platting action, again, we will have exterior sidewalks will need to be added to both New Haven and to Warren Drive. That is going to come through as a part of the platting action, and there will likely be a development agreement that will be negotiated between the City Council and the applicant developer in order to determine timing of when those particular improvements will be necessary. Proximity to the school obviously allows for interconnectivity for any children that are here to get to the school to New Haven. Improvements to the internal park circulation would be valuable. Those are questions and concerns that have been raised by graphics that were provided to you from a resident within the community in front of your seats this evening, and I believe the owners can speak to that, as well. But we do have some tools that because of it being inside the City, we will be able to have a little bit more oversight in some operational related matters.

MR. STANTON: Yeah. That's great, because those roads inside that trailer park is like driving down Bagdad after B-52 strike. There's craters that need four-by-four action to drive through, so I'll -- that's very good to hear that there will be mechanisms that the owner will have -- well, the residents will have to improve some of those conditions inside that park, because affordable housing, this is a tool in our toolbox, and good to hear. Thank you, sir.

MS. GEUEA JONES: Any other questions for staff? Seeing none. We will go to public comment.

PUBLIC HEARING OPENED

MS. GEUEA JONES: Any members of the public who wish to come forward, please do so. State your name and address for the record.

MS. LUEBBERT: My name is Christina Luebbert with Luebbert Engineering, offices at 409 Vandiver. This has been a long time coming. It's been on my plate for many years with the previous owner. The new owner contacted me a little while back, and I said do you know what you've gotten yourself into. They were preparing to make about a half-million dollars of improvements to said roads that look like they need improvements. When I told them not to because we were going to tear them up to build water and sewer. And -- but we can't build water and sewer until we have a legal lot, which has to be platted, and we can't have a plat until we annex and get permanent zoning. So this is one of many steps that I am prepared to take between now and probably the end of this year to get this approved and moving forward with making those improvements. We actually went to the City Council right at about a year ago to ask about the necessity of annexation because when you pulled that thread, all these other things unraveled, and they insisted that that was their policy and that they would not make an exception for this. This took many weeks of surveying every single home out there so that we could document its location. We also documented the location of some sheds that are on the perimeter, but we decided to not document every single porch and shed, and just instead made kind of a blanket statement that they will remain as they are until such a time that they're ever taken down or removed, and then they would have to be built back more compliant. Once we had the location of the homes, I attempted to create a lot layout or a pad site layout because these are not lots under the legal definition -- a pad site layout that was as compliant as possible. I started with side setbacks and tried to strike locations of those lines in a way that made them as -- meet the dimensional standards as close as possible, and then I spent three weeks developing the spreadsheet on page 6 to really analyze where we were close to being compliant, where we were not compliant at all, and trying to come up with the best solution. And Pat has been very helpful in getting this pulled together. And I would encourage you to read a lot of the notes. There's one whole section that explains when this lot has to be eliminated, this is where it's going, this one is eliminated, this is where it's going, and with the treatment plant lot giving me a fudge factor that if somebody is trying to move a home in that doesn't fit on an existing lot, we can eliminate the existing lot and trade it out for that, but to keep that 208 families having a place to live that is reasonably affordable, because not only did Columbia Regency get eliminated, the one south of Lenore got eliminated many years ago, as well. So there's -- there's not very many places where you can find -- you can find a decent place to live that's not super expensive. But we will be putting together a final plat to create one legal lot. That will trigger significant tree inventory, water line, fire hydrant plans, sanitary sewer pump stations to take the influent to the package plants and put it into the City sewer. That's actually shown on this plan. The proposed force main is on the plan. The proposed water lines and fire hydrants are on the plan. The

proposed sidewalks are on the plan. And that represents \$2.1 million being sunk into this park, and that's before we pave the roads, so we're probably looking at more like \$2.6 million being poured into this park by these owners, who unlike the previous owner who just walked away from it, have, you know, raised the money to try to get this compliant with both the DNR regulations and the City regulations to the maximum extent practicable. So happy to answer questions, and I do -- I know they're aware that there's trees that need to be removed and that will be an ongoing part of the process. It just takes time to get those things lined up and the arborist just notified us of the need to do that about three or four weeks ago, so we researched a little bit.

MS. GEUEA JONES: Very good. Are there any questions for this speaker? I have one. What's your occupancy level right now? Are you 100 percent occupied? It's 208?

MS. LUEBBERT: It's list -- the vacant ones are listed on the -- on the spreadsheet.

MS. GEUEA JONES: Yeah.

MS. LUEBBERT: It's -- it's high occupancy. I think there's only a handful that are vacant.

MS. GEUEA JONES: It looks like it. Okay.

MS. LUEBBERT: And there was, I think, four or five that had been vacant that were actually filled in the last six months or so, because we had to go back out and resurvey that five or six homes that -- to keep this plan as current as possible.

MS. GEUEA JONES: So they won't have to be relocated immediately. Right? Like, there's -- is there a lot of this you can do without relocating the residents?

MS. LUEBBERT: So -- so there's one that will be forced to be relocated when MoDOT makes the entrance go away. When they change the entrance, that one will have to be relocated on MoDOT's timetable. The reoriented ones on the south side, I would expect those to be reoriented, slash -- again, they're not being moved, they're just going to turn. That would probably happen within the next three years, maybe a little sooner. It'll just kind of depend on -- I mean, we won't probably even have a permit for everything until towards the end of this year. So, three-ish years, we're going to propose in our development agreement to push off the Warren Drive changes until Warren Drive would be improved because there's no real reason to uproot those people if we don't have to. We'll just have to see what the Council feels about extending that time line as part of a development agreement.

MS. GEUEA JONES: I think you --

MS. LUEBBERT: And the development agreement goes with the plat, which is after the annexation.

MS. GEUEA JONES: Yeah. And that's really what I'm asking is, are we immediately displacing a bunch of people and, if so, is there a plan, but it sounds like there's a plan to make sure we're not.

MS. LUEBBERT: The idea was to not have to come back to you to revise this plan for things that we know will happen in the future. So we tried to kind of do this is what it will look like today, this is what it will look like when MoDOT makes their changes, this is what it will look like when the New Haven sidewalk has to be built, and this is what it will look like when the Warren Drive sidewalk has to be built.

MS. GEUEA JONES: You --

MS. LUEBBERT: All of those things will be on different time lines.

MS. GEUEA JONES: You definitely have put a lot of time and effort into it. I appreciate it.

MS. LUEBBERT: That's an understatement.

MS. GEUEA JONES: Anyone else, questions for this speaker? Commissioner Stanton?

MR. STANTON: I'm -- I'm excited about the rezoning. I'm excited about it being annexed, if possible. I have a nagging worry that maybe you could -- I want it on the record so it's -- so it's known. I've been all through that mobile home park, and there are a lot of good families there. There's a lot of good connections there. Like I said, the roads -- I have a four-by-four truck, and I hardly like driving it in there. There's dead trees on lots that, you know, and these are mobile homes. Good storm, these trees coming down, what -- what happens with the residents then? You know, so I'm really worried about we're giving -- we give you this zoning, which, you know, of course there's ifs, ifs, ifs, ifs. But I definitely want to make sure that the owner doesn't forget about the residents and -- and the improvements that need to happen to -- to allow these people to still live, you know, in a mobile home.

MS. LUEBBERT: Absolutely.

MR. STANTON: And attract new mobile homes, if possible.

MS. LUEBBERT: Yeah. Absolutely. I do have one of our ownership group representatives here, so he can maybe talk a little more to that. But I know, like I said, they were prepared to spend a lot of money on it, and I said I don't want to have to cut your brand-new roads to put water and sewer in this park, so just hold tight while we get some of this figured out first. It wasn't them not wanting to spend the money on the park is what I'm trying to say.

MR. STANTON: Yeah.

MR. LUEBBERT: They -- they definitely want to improve -- make improvements and add some amenities and make it a nice place to live. So I -- I think it's just going to take some time while we're jumping through all the City's hoops, and then -- and then construction takes time. So I -- I hope that they can be patient while we're trying to do that, but I can understand if you're driving it every day, it's very frustrating.

MR. STANTON: Or a tree fall down on my mobile home.

MS. LUEBBERT: Well, and like I said, we -- we were just notified that we really needed to -- and the other owners don't live here, so they -- they are -- you know, that is -- they bought this as a package of, like, 45 parks, so this is one that's become a thorn in their side and they're trying to get it taken care of. And like I said, the previous owner just walked away from it.

MR. STANTON: Thank you.

MS. GEUEA JONES: Any other questions? Seeing none. Thank you for being here tonight. Anyone else to speak on this case, please come forward.

MS. SMITH: Hello. Can you hear me?

MS. GEUEA JONES: A little bit closer, maybe pull it down.

MS. SMITH: How about now?

MS. GEUEA JONES: Yeah. That's better.

MS. SMITH: Okay. Excellent. Hello. My name is Sherrece Smith, and I live at Woodstock. And I just appreciate the information that we just found out about. There has been a lack of communication here. These trees are -- these trees, if you can imagine a mobile home being about 70 feet long, and you're looking at dead tree that is at least as long as your home and is dangling there. Now I believe that there can be some solutions to temporary road things. I -- I have no problems with that. And hopefully I'll be able to discuss that, like, maybe some gravel in these deep holes and ruts in the roads. So I understand now better about what it's going to take for the sewer. I don't have an opinion on that. I'm just literally soaking all of this information in and what the implications are for me and my neighbors. A lot of my neighbors are on fixed incomes. There are those of us who have small businesses, there are those of us who work. There are those of us who are stay-at-home parents. I don't know how I can report back to my neighbors and say wait three years, you'll be safe then. I personally was told to cut down the tree because there was no contract. Once again, I'm understanding why there isn't a contract. I've asked if there was some way of sharing a contract or maybe we can chip in, something -- something. I could not sleep anymore. The trees in my neighbors' yards were crashing down on their homes and there was no solution. There was no solution with the County. The City said, hey, if you were just part of us. I really don't know what to do. Moving is seeming like a pretty good solution about right now given this time line. I appreciate this owner really stepping up and trying to improve this park and make it the best park that it is. I remember when it was a great park. I remember when it truly was a community and the trees were just in a better condition. Years have passed and they are deteriorating, and as well, apparently, as the sewer and all the other infrastructure. So there's multiple infrastructure challenges going on here. Three-year turnaround, okay. Trees, I don't see three years.

MS. GEUEA JONES: Thank you very much. Please, if you could hold on just a moment. Are there any questions? Commissioner Walters?

MR. WALTERS: Just a simple question. Does the neighborhood that you and the neighbors have any means of communicating with one another via the -- like a Facebook page or some other platform that you can share information?

MS. SMITH: I personally don't have a Facebook. I'm told that there is a Facebook account. We also have a language barrier, so we are a multi-lingual neighborhood. We used to have a neighborhood group that used to meet at the school, but that was years and years ago, that I recall, so --

MR. WALTERS: Yeah. I was just hoping that maybe the developer or developers' representatives communicate with you as a group.

MS. SMITH: I -- I guess they could go through our tenant system that they have us set up an account through there.

MR. WALTERS: Okay.

MS. SMITH: I was hoping to get maybe some kind of notes that way. There is a text system that

they have. If your -- if your phone system is -- a phone number is part of that, then you will get a message from the manager. Not once have I really heard any messages dealing with this or really the reasons why we're hanging out there about the tree situation because I think some of us would have took alternative actions that would have really helped us with our decision-making, like renewing our tenant lease agreements. And please, I understand that this is reasonable affordable housing, but I feel like mobile home tenants are a little different. We own our floors, our walls. We own our roof. We just need to be hooked up somewhere. To move these homes, we are looking at \$5,000 to \$10,000 to move, if you're able to move your home. So then you're faced with do I sell it. And as I'm talking, I am a little concerned of what those applications are after what I'm hearing about the infrastructure. So, you know, there's a lot for us to kind of digest and find out, figure out what -- what we can do. But there are -- they're being -- they're veterans. They are disabled people. They are retired people. You know, we have a good mix of -- of a community there.

MR. WALTERS: Okay. Thank you.

MS. GEUEA JONES: Commissioner Stanton?

MR. STANTON: Can you voice all of your concerns, and as my other colleagues asked if there's some kind of line of communication, what's the relationship between you and the owners? Is there -- do you -- can you identify the owner? Do you have a name? Do you have a corporation that you can address? Do you have a manager that is responsive? Do you have a management group? Is this how - it seems like when you're talking, you're talking like you guys are out on an island, and there's no one that is clearly responding to the tree issue, to the B-52 strikes, to the -- who is the corporation, who is the person who is the registered agent for this company? Who is the physical human person that you can get ahold of to voice your opinions and get a quick response?

MS. SMITH: We have a park manager.

MR. STANTON: And that works? He responds? Talk to me. I mean, is -- is that working? Is that --

MR. SMITH: I mean, look, there's 208 lots. Right? And there's probably about two of us here, so, you know, it's -- it's your home. I mean, I am concerned about talking about that.

MR. STANTON: Okay. Thank you.

MS. GEUEA JONES: Commissioner Darr, you were next, and then Commissioner Ortiz.

MR. DARR: Have you experienced any parking problems?

MS. SMITH: Yes.

MR. DARR: Like not enough parking or people parking in the wrong spot or --

MS. SMITH: Are you talking about, like, parking cars or something?

MR. DARR: Parking cars, availability for -- yeah, to park your vehicle?

MS. SMITH: I mean, I personally called in -- I feel like we don't pay rent, we pay housing association fees. And with that, we have housing association rules. Very strict. We don't park on the side of the sidewalk. That's against the rules. You must be parked within the parking lot. And I get it. I

mean, there's certain rules, but --

MR. DARR: But there's adequate parking for you or --

MS. SMITH: For me, yes.

MR. DARR: I mean, for your family?

MS. SMITH: For others, I mean, they're -- they're doing what they can within the confines of whatever that -- that solution is for that moment.

MR. DARR: Okay. Thank you.

MS. GEUEA JONES: Commissioner Ortiz?

MS. ORTIZ: I want to thank you for being here and giving, like, context on -- on your experience because I don't have a lot of experience in this area, so I really appreciate you giving it. I did have a question. I guess I like multi-part, but do you know if your park manager stays the same throughout ownership changes, or if that's something --

MS. SMITH: Uh-huh. Yes.

MS. ORTIZ: Okay.

MS. SMITH: Yes. She's managed to stay.

MS. ORTIZ: Okay. Did you know that there's reviews on line talking about dangerous trees dating back to 2016 that talk about the park manager who did nothing about it?

MS. SMITH: I -- I can honestly say I don't have a social media presence, but the tree that I cut down is -- it was an ash tree, so that right there. If anybody knows about ash trees --

MS. ORTIZ: Evidence of disease or --

MS. SMITH: Yes. In fact, I believe I might have submitted a photo of that to Mr. Zenner, the one with the ziggy -- and the bark separating. That's not -- that's not an exception. There are dozens upon dozens upon dozens of dead trees, and now there's some trees that look alive that have recently fallen. I have submitted pictures of that, too.

MS. ORTIZ: Thank you.

MS. GEUEA JONES: Any other questions for this speaker? Commissioner Stanton? Or not Stanton, sorry. Stockton.

MS. STOCKTON: Yeah. Stockton. I'm new. I just wanted to thank you for coming. That was my -- going to be my question as to how informed the residents are of these changes that are coming, and I hope we can move it along a little faster for you.

MS. SMITH: Thank you.

MS. GEUEA JONES: I had a couple of questions. It -- it sounds like you didn't get any real communication other than maybe the notice from the City that all of this was happening; is that a correct statement?

MS. SMITH: There is a sign. It's in part of my photo of the entrance. It's kind of folded down. People notice that note -- that note is -- I notice that it was really big, but once again, I wasn't really looking that way because I'm too busy trying to not mess up the front of my vehicle as I'm trying to enter

the park. That was me personally, though, but --

MS. GEUEA JONES: I find that a little concerning, which is why I want to be really clear that you, as the owner of your home, who rents this space, were not contacted by the owners of the land to let you know what their plans were?

MS. SMITH: Well, I guess, in our case, it would be the park manager, because I don't know who the owner is, except that they're somewhere in Texas. But, I mean, I found out through neighbors and whatnot. They were, like, oh, yeah, there's a notice, and I was, like, oh, where? It took me a minute to figure it out, but -- but I think it's because, at that time, the plastic kind of folded down a little bit and I -- you know, maneuvered my car just enough where I could kind of see the sign as I was trying to miss the huge gaps, but, you know, that's just me. I mean, there might be other people that -- I mean, that's all I can tell you. I don't know about any other notices, and honestly, we -- I think a lot of us don't really read the newspapers. We -- there's people who have Facebook. I listen to, like, the radio quite a bit. I, you know, stream. I see, you know, local commercials that way or whatever. I can't really speak for anyone else, but if it's not in Spanish as well, that might be a barrier.

MS. GEUEA JONES: Yeah. I'm sorry. I'm not trying to get you in a -- I'm not trying to catch you off guard or anything. I'm just really concerned because that seems unusual and -- and doesn't take into account the fact that you are their customer. So that -- that's why I just want to be very clear that I'm not missing something. They didn't send you a letter? Okay.

MS. SMITH: Yeah. No, I don't see any letters. And if they sent an e-mail, I haven't heard anyone say anything about an e-mail. And unfortunately, my neighbors for whatever reason just couldn't --

MS. GEUEA JONES: Sure. Yeah. Okay. Thank you very much. Any further questions? Seeing none. Thank you very much. Is there anyone else to speak on this case? Please come forward.

MR. WEST: My name is Christian West, and I'm with Woodstock MHLC, and then Oakwood Properties. Just to answer your all's questions on the trees, the roads, I'm actually the project manager for this community and this region. Started it about two months ago, so we're obviously behind the eight ball. And that's my job here this week, walking the property and seeing all what we need to do. Obviously, a tree where storms coming through obviously needs to be done, and that's what I'm going to try to take care of in the next two to three weeks. I already have bids lining up. We have national tree companies and local that I've been in contact with, and I want to say two to three weeks, we should be able to get a lot done. And then for the roads, obviously with the sewer, water lines, we can only do so much, but to answer your all's questions about can we fill the potholes, can we cold patch, can we do some smaller things, 100 percent. That's not even a problem. And we have budgets placed in that from quarter of a million dollars to half a million dollars, and that's probably going to be a lot more than that when all these roads get torn up. And so we have really good plans on doing that. Roads time frame, obviously it's not ideal, but we do plan on really doing some work to those roads because, I mean, I can't even drive on them. So to answer those questions, those trees will be taken care of. I guarantee that.

MS. GEUEA JONES: Any questions for this speaker? Commissioner Stanton?

MR. STANTON: So are you available to the residents -- basically homeowners that have homes there?

MR. WEST: I -- not necessarily -- not necessarily myself.

MR. STANTON: Okay.

MR. WEST: Being based out of Dallas, I have a region of Illinois, Florida, and Missouri, between 25 properties, some spread out, but I travel, shoot, three weeks out of the month to help these communities.

MR. STANTON: Can you help -- I guess what I'm getting at, can you help the residents find a physical body to talk to and address their issues?

MR. WEST: Well, 100 percent. So our property manager, ideally, obviously, you know from the comments, that it's not working. But we also have above her is the regional manager, she runs all of our Missouri properties within St. Louis, St. Charles, and then down into Columbia at Woodstock, and she's her higher up, and she's directly involved with a lot of that, and I can definitely get word back to our front office that it's not working.

MR. STANTON: Well, tonight -- people that are in this meeting tonight.

MR. WEST: I'm sorry?

MR. STANTON: Or to the people that are in this meeting tonight.

MR. WEST: What was that? I'm sorry.

MR. STANTON: The people that are in this meeting tonight that are here, that would maybe be a good idea.

MR. WEST: Yeah. Definitely. And -- and to kind of give you a little bit of my background, I was the regional manager for two and a half, three years before I got into the project management side, so I directly dealt with tenants day in and day out for probably about two years. And so -- and I get it. I see their frustrations and usually, as the project manager now, when we purchase these properties from these mom and pop, they don't take care of them or they just leave them and they go run away when we purchase them. Ideally, I like to get the roads done in one month, if not less time. Tree work, amenities, playgrounds, industrial playgrounds where they're not going to break apart if someone jumps on it and vandalize. They -- we want to do, like, higher-end things so we don't have to keep coming back and doing it, and that's -- that's our goal. We have budgets to do it, and again, I've only been in this position for about two months for this community, but I guarantee you that you are going to see some changes very quickly.

MS. GEUEA JONES: I forgot to stop the time, and you didn't use your whole three minutes. Anything else, Commissioner Stanton?

MR. STANTON: No.

MS. GEUEA JONES: I -- I would like to know -- so you -- you work for the owners. You do the maintenance or the project the redevelopment, whatever --

MR. WEST: Projects, infrastructure -- and I'm a little behind the eight ball on this project, exactly. I'm learning as I go, to a point --

MS. GEUEA JONES: Yeah.

MR. WEST: -- but roads, trees, anything like -- along those lines.

MS. GEUEA JONES: Why no notice to the residents?

MR. WEST: And to be honest with you, I cannot answer that --

MS. GEUEA JONES: Okay.

MR. WEST: -- because that was a surprise to me, also.

MS. GEUEA JONES: Okay. Okay.

MR. WEST: But I can definitely make sure that that has happened. My assumption is that we wanted to make sure it was actually going to happen before we maybe scared people. That's my guess. They might lose their home, or if they're going to have to move places, you don't want to cause a fire if there -- you know, if there isn't going to be one. That's my assumption. But that's -- that's my answer for that.

MS. GEUEA JONES: Yeah. It could have backfired. Any further questions for this person? Seeing none. Thank you very much for traveling here tonight. Anyone else to speak on this case? Seeing none. We close public comment and go to Commissioner comments.

PUBLIC HEARING CLOSED

MS. GEUEA JONES: Commissioner comments on this case?

MR. WALTERS: I --

MS. GEUEA JONES: Commissioner Walters?

MR. WALTERS: You know, I'm a little confused about our role tonight. As poorly as this mobile home park is apparently being managed, is that -- that shouldn't -- is that an issue for us to worry about tonight? We're talking about annexation.

MS. GEUEA JONES: So we're not talking about annexation.

MR. WALTERS: Well, I mean, we're talking about zoning.

MR. STANTON: Zoning.

MS. GEUEA JONES: Yeah. We were talking about approving the park plan.

MR. WALTERS: Yeah. So --

MS. GEUEA JONES: And part of the park plan is the tree maintenance issue.

MR. WALTERS: Oh, it is?

MS. GEUEA JONES: Yeah.

MR. WALTERS: I thought we were just -- okay.

MS. GEUEA JONES: Well, it's on -- it's on the paperwork. Like, the paperwork talks about the roads, it talks about the orientation. It talks about everything else. So I -- I don't think things like the notice are within our purview. It's just a point of interest. But anything that goes on this park plan is part of our purview, and that includes all of the notes that are on there about the orientation, about the lots.

MR. WALTERS: Okay. And just to clarify, I'm not being insensitive. I think there's due criticism here, but I just wanted to know about --

MS. GEUEA JONES: Yeah.

MR. WALTERS: I mean, because I think the -- if they follow through with these improvements, this is going to be -- it's tremendous. I mean, if they really spend \$3 million to fix that, that's a big deal. But there's a little bit of credibility at question here, you know, whether that will really happen. But anyway. Okay. Thank you. That's it.

MS. GEUEA JONES: Go ahead, Commissioner Stanton?

MR. STANTON: To address my -- my fellow Commissioner, yes. We're talking about the rezoning, but it's like any other case that we run into where we're -- we're making sure before we give you this ticket that you're going to be responsible and that, you know, I want these things on record. I want the owners to say it on record. Hey, when you get this R-MH, that, you know, there is protection. That's why I asked Mr. Zenner, when you get the zoning and you may get the annexation, does this provide additional protections to a place that I know personally has deficiencies. So that's why I'm bringing it up. Yes, you're right. This has -- none of that has something to do it, other than I want it on record, I want people's voice on public record saying that, yes, if we grant you the zoning, that you are aware, as you know we are aware, and that the citizens that are out here that testified are aware that there are provisions and responsibilities that you have with said zoning: buffering, improvements to infrastructure, all of that. So that's why this discussion was had, at least from my point of view.

MS. GEUEA JONES: And when they bring in -- when they get annexed and when they do their final plat, they also have to do a significant tree designation. They also have to do a runoff study. They also have to do, like, storm water study. They have to do all these things as part of it. So while it's not the management, it is the land management that we're concerned with and what goes on the -- on the site plan, which is the site plan -- I'm looking at staff now, for the record. Is the site plan more of a PD or more of a plat?

MR. ZENNER: It's a little bit of both. I mean, because the criterion -- the criterion that are within the standard specifications for an R-MH district are very similar to those that we would have for a PD. There is some variability, there is some room for relaxation of the underlying standards to conform what's there. It -- and as a PD plan serves as a preliminary plat, so too does the R-MH plan. So it is a preliminary plat indicating that basically we have got proposed layouts for the utility infrastructure shown on it. We have the layout of the development and its dimensional criteria like we would for a planned district plan. So it's a little bit of both. I think as you have -- as you touched on in your comments, the final platting process of this, in order to obtain a legal lot, is going to trigger a series of other compliance related issues; the tree compliance, the storm water, the utility compliance, all of that becomes part of the review of the actual construction plans that are a prerequisite to final platting. The final platting process will not come back to this body, because the PD plan or the R-MH plan is serving as the preliminary. So as long as the boundary of this development comes back the same on the final, and it meets that all of

the other infrastructure requirements that would be necessary to approve the final plat, the final plat is a technical item. Maintenance of the features within the park that we have control over, i.e., the trees specifically, that is something then that we, once it is inside the City, we have the ability to then work more directly to facilitate getting that corrected if it is not done sooner.

MS. GEUEA JONES: Thank you. Are there other Commissioner comments? I would just say that until I found out that there had been no communication with the residents, I was pretty comfortable with all of this. That gives me significant pause that they are going to take care of some of this stuff in a quick way, very specifically, trees as we are in the middle of tornado season, so I don't know about anybody else, and if legal tells me to not do this, I'll not do this, but I would be interested in adding a criteria that they take care of that expeditiously upon annexation by the City. And I'm looking at legal now.

MR. CRAIG: As a condition for approval; is that -- well --

MS. GEUEA JONES: Approval of the park plan, not the zoning.

MR. CRAIG: I mean, it's kind of sticky, because, generally the condition -- you can't tack a condition on to straight or open zoning, so -- but the plan itself, I don't know that we can -- I don't know that we have authority to -- to make that a condition of approval of the zoning itself.

MS. GEUEA JONES: Of the plan?

MR. CRAIG: I don't think so.

MS. GEUEA JONES: Okay.

MR. CRAIG: I don't think so, no.

MS. GEUEA JONES: Well, then let me ask this question of staff. What -- what is the time line for City enforcement upon annexation of tree stuff? If we have a very conscientious resident who calls.

MR. ZENNER: The arborist, as Ms. Luebbert indicated, had contacted -- had contacted them -- or the comment was made through the review of the plan. So it is a known quantity that we have an issue. The question that was asked of me is the tree removal -- should the tree removal be a condition of the annexation. Again, this is -- and this is where I don't want to step on Mr. Craig's conclusion because I would agree, I think we have a -- it's a real sticky situation because we don't have a "plan district." We have a development plan that's part of the zoning, and therefore, this is considered akin to a straight zone even though there's a plan. And even though I have provided to you that the ability to be able to acknowledge the non-conformities that the plan represents are akin basically to design exceptions. But the plan represents what the park is today. And, you know, we bring a plan forward and it identifies not unlike any other annexation property that we bring in that's maybe developed in the County, we bring it in warts and all. So it may be fully non-compliant, but we accept that property the way it is. I think to the point that Ms. Luebbert has made and one of the underlying principles with the plan itself is we want to set the project up for a successful future, given the volatility that's occurring around it. Therefore the plan is coming in showing all of the alterations that need to be made. If they did nothing on the perimeter of the property, just to use this as an example, the issue of buffering -- screening and buffering on the

perimeter of the property doesn't become an issue. However, we want to make sure, because there are going to be perimeter changes made as a result of the road improvements, that we're addressing those at this juncture, and that's the part of the plan, and that's what the plan is identifying. So based on the question that's asked though, to get back to the answer, the arborist is well aware of it, and the arborist asked do we need to condition the approval of the permanent zoning or the annexation on the removal of trees. This is not inside our City's jurisdiction at this point. We have no jurisdiction to require the trees to be removed. So until we have jurisdiction, we can't drop a hammer from our regulatory process. Immediately following annexation, prior to even the platting, we could require or the arborist could be notified that it's been annexed, work with the owner to get the trees removed if they haven't been before submission of final plat. Alternatively, the final plat could be withheld from Council until we have the trees removed.

MS. GEUEA JONES: Does Ms. Smith need to call again?

MR. ZENNER: Ms. Smith has been in touch with me, and so she is more than welcome to call me. That is what my role is, and I will facilitate as best I can. I would strongly recommend that the representative from the mobile home park provide contact information for her. We will keep an eye, and I -- based on the conversation we've had this evening, I can let our arborist know as he is out and about to keep an eye on what is occurring. Again -- and I don't -- I believe the Commission understands this. The -- the value of bringing this park in through the permanent zoning and annexation process is absolutely critical. And it is the only way that the park can continue to maintain its level of compliance. And so I think the issues that we discussed this evening are correctable. They're correctable at a process that we have to be able to be in the position to where the City's regulatory structure is actually applicable. And once that occurs, I think we can take more effective and expeditious action, if necessary.

MS. GEUEA JONES: Any other Commissioner comments? Commissioner Stanton?

MR STANTON: So, Mr. Zenner, what I'm hearing is at the annexation hearing, which would be City Council, it would behoove the citizens to be there to make sure they voice their opinion concerning the trees? I'm trying to -- because you're right. This is out of our ballpark, but I'm trying to make the custody of -- of advocacy and, you know, activism to transfer to wherever it needs to be, and if we can't hold them accountable tonight, I want somebody's butt on the line somewhere. Where does that happen and when does that happen, as an activist.

MR. ZENNER: I think the concern -- yeah. I believe the concern could be expressed by the residents again at the public hearing on the annexation. This transcript, of course, is provided directly to the Council for their purview and this particular topic area and our conveyance comments will be added. This is not something that will just be buried in a set of minutes, given the significance of this concern that's been expressed not only by residents, but by the Commission. And these are one of the things that will float to the top of the Commission comments, but that it would be, I think, Mr. Stanton, is an appropriate venue. Council controls the annexation, and if Council wants to basically say we're only going to take you if you commit to X, that's probably the appropriate venue by which to have that done.

Now again, a public hearing will be held on the annexation, a decision is not made. A public hearing is held. The decision is made at the meeting following that, so the public hearing is being requested to be set for July 7th, which is the first Monday of the month of July, and then July 22nd, if I am not incorrect, which is the third Monday is when final reading on not only the annexation, and this zoning request would be heard. So depending on the outcome of your vote, or you could have a supplemental recommendation that this be placed on old business so it is discussed in greater depth at the second reading, that is your choice. But it would be at second reading that probably any additional stipulations could be added by Council at that point, should they so desire to do an amended ordinance or something else along those lines.

MS. GEUEA JONES: Any further Commissioner comment? Commissioner Ortiz?

MS. ORTIZ: My question is on -- so you mentioned that the Council receives the minutes from this meeting. I'm curious what triggers Council getting the minutes versus as just getting like a staff report?

MR. ZENNER: No. The -- well, it's both. They get a full staff report, and as a part of the full staff report, we have the full excerpt minutes that are specific to this case. They are always provided that. That is standard practice.

MS. ORTIZ: Okay. Thank you.

MS. GEUEA JONES: So, Commissioner Zenner, are annexations no longer put on -- sorry, Mr. Zenner. Are annexations -- sorry. My brain is already tired, and we have so much more to go. Are annexations no longer put on the consent calendar?

MR. ZENNER: So an annexation has got three parts.

MS. GEUEA JONES: Right.

MR. ZENNER: Set the hearing, which will occur on the 16th of June for July 7. You hold a public hearing, and that's at the public hearing section of the Council's agenda. We introduce zoning that same meeting, so July 7, we will introduce the zoning request, they will hold a public hearing. Typically, if you have a vote more than 75 percent of the Commission votes in favor, the item, the zoning item would go on consent. The annexation would be attached to that, in essence, and they both would be considered under consent. What happens when you make a supplemental vote, like we have done, we will request that the second reading of this zoning action be placed under old business will then -- which will automatically cause the annexation to be pulled into old business, which will then trigger Council discussion.

MS. GEUEA JONES: Okay. And they do that after we've voted on our recommendation, there's then another motion made?

MR. ZENNER: That is correct.

MS. GEUEA JONES: Okay. Thank you for that clarification. Any further comment, or are we ready for a motion? Would anyone like to make a motion on this case?

MR. WALTERS: I would.

MS. GEUEA JONES: Commissioner Walters?

MR. WALTERS: In regard to Case Number 187-2025, I move to approve the permanent zoning requested R-MH zoning subject to annexation to approve the R-MH Park Plan inclusive of the following design exceptions. Reduction of the minimum lot dimension standards for each lot within the park as shown on page 6 of the park plan, waiver of the required perimeter buffer screening and reduction in required on-site parking as calculated per Section 29-4.3 by 85 spaces.

MS. GEUEA JONES: Is there a second?

MR. STANTON: Second.

MS. GEUEA JONES: Is there any discussion on the motion? Seeing none. Commissioner Brodsky, may we have a roll call?

Roll Call Vote (Voting "yes" is to recommend approval.) Voting Yes: Mr. Darr, Ms. Ortiz, Mr. Stanton, Ms. Geuea Jones, Mr. Brodsky, Ms. Wilson, Mr. Walters, Ms. Stockton, Dr. Gray. Motion carries 9-0.

MR. BRODSKY: The motion carries.

MS. GEUEA JONES: Thank you. That recommendation will be forwarded to City Council. Are there any other motions to be made on this case?

MS. ORTIZ: I have a motion.

MS. GEUEA JONES: Commissioner Ortiz?

MS. ORTIZ: I move that this item be placed under Old Business at City Council.

MS. GEUEA JONES: Is there a second on that motion.

MR. STANTON: Second.

MS. GEUEA JONES: A motion to move the item to Old Business on the City Council agenda has been made by Commissioner Ortiz, and seconded by Commissioner Stanton. Is there any discussion on that motion? Commissioner Walters?

MR. WALTERS: Please clarify. I don't understand.

MS. GEUEA JONES: It means that they will have to vote on this as a separate item instead of being on the consent agenda.

MR. WALTERS: Okay. Sounds good.

MS. GEUEA JONES: Commissioner Brodsky?

MR. BRODSKY: Is that something we, as a Commission, have the ability to do?

MS. GEUEA JONES: Yes. That is what we just discussed with Mr. --

MR. CRAIG: We can request -- we can request that it be done.

MR. STANTON: Do it all the time.

MS. GEUEA JONES: Yeah. Any further discussion on the motion? Seeing none. Oh, yes. Thank you. We will wait for Commissioner Wilson, or do we need a roll call, or can we just do it thumbs up?

MR. CRAIG: Let's wait for Commissioner Wilson.

MS. GEUEA JONES: Okay. We'll just wait for Commissioner Wilson. As a point of information, my intention is after we take this vote to take a five-minute bio break for our Commissioners who have a very long agenda tonight, and we can't all leave the dais at once.

(Off the record)

MS. GEUEA JONES: All right. We will come back to order. We are voting on removing this item from the Consent Agenda, and placing it under Old Business. Whenever you are ready, Commissioner Brodsky, maybe we have a roll call?

Roll Call Vote (Voting "yes" is to recommend approval.) Voting Yes: Mr. Darr, Ms. Ortiz, Mr. Stanton, Ms. Geuea Jones, Mr. Brodsky, Ms. Wilson, Mr. Walters, Ms. Stockton, Dr. Gray.

Motion carries 9-0.

MR. BRODSKY: The motion carries. The item will be moved to Old Business instead of Consent Agenda.

MS. GEUEA JONES: Thank you very much. We will now take a five-minute bathroom break. I am turning on my timer for five minutes, so we can all hear it when it goes off. We will stand in recess.

(Off the record)

MS. GEUEA JONES: We will come back to order. I think I see -- yeah. We're all here. Okay. Great. If staff is ready to proceed? Excellent. Thank you all for that.